

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Tena M. Andrist,

Plaintiff,

v.

Case No. 18-12314

Commissioner of Social Security,

Sean F. Cox

United States District Court Judge

Defendant.

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**ORDER ADOPTING**  
**7/30/19 REPORT & RECOMMENDATION**

Plaintiff Tena M. Andrist filed this action, challenging a final decision of the Commissioner of Social Security denying her application for disability insurance and supplemental security income benefits. The matter was assigned to Magistrate Judge Anthony Patti for all pretrial proceedings.

The matter recently came before the magistrate judge on cross-motions for summary judgment. Plaintiff's summary judgment motion argued that: 1) the "ALJ's finding that the Plaintiff can perform work that is semi-skilled or skilled is not supported by substantial evidence," and 2) the "ALJ's finding that Plaintiff can perform light work" is not supported by substantial evidence." (ECF No. 9 at iv).

In a twenty-one page Report and Recommendation ("R&R") issued on July 30, 2019 (ECF No. 14), the magistrate judge recommends that the Court deny Plaintiff's motion for summary judgment, grant Defendant's motion for summary judgment, and affirm the Commissioner's decision.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a magistrate judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R.

In order for a district court judge “to apply meaningful de novo review, it is insufficient for the objecting party to simply incorporate by reference earlier pleadings or reproduce an earlier unsuccessful motion for dismissal or judgment or response to the other party’s dispositive motion.” *Gregson v. Comm’r of Soc. Sec.*, 2019 WL 762272 (E.D. Mich. 2019).

Here, Plaintiff filed timely objections to the R&R, stating two objections. As her first objection, Plaintiff asserts that the “finding that Ms. Andrist can perform anything other than unskilled work is not supported by substantial evidence.” (Pl.’s Objs. at 2). As her second objection, Plaintiff asserts that the “finding that Ms. Andrist can perform light work is not supported by substantial evidence.” (Pl.’s Objs. at 4).

As Defendant notes in responding to Plaintiff’s submission, Plaintiff has not identified any specific objections with the magistrate judge’s R&R. Rather, Plaintiff objects to the Administrative Law Judge’s conclusions and her “objections” simply re-state the arguments that Plaintiff made to the magistrate judge in her summary judgment motion. As judges in the Eastern and Western Districts of Michigan have explained:

This Court is not obligated to address objections made in this form because the objections fail to identify the specific errors in the magistrate judge’s proposed recommendations, and such objections undermine the purpose of the Federal Magistrate’s Act . . . which serves to reduce duplicative work and conserve judicial resources.

*Funderburg v. Comm’r of Soc. Sec.*, 2016 WL 1104466 \*1 (E.D. Mich. 2016); *Owens v. Comm’r of Soc. Sec.*, 2013 WL 1304470 (W.D. Mich. 2013).

As Plaintiff has failed to file objections that identify specific alleged errors in the magistrate judge's R&R, she has not stated any objections that require a de novo review. Nevertheless, the Court has reviewed this matter, the cross-motions, and the magistrate judge's R&R. This Court concludes that the magistrate judge correctly applied the law and reached the correct conclusions for the proper reasons. The Court accepts the magistrate judge's R&R as the Court's findings of fact and conclusions of law.

Accordingly, the Court **OVERRULES** Plaintiff's objections, **ADOPTS** the July 30, 2019 R&R and **ORDERS** that: 1) Plaintiff's summary judgment is **DENIED**; 2) Defendant's summary judgment is **GRANTED**; and 3) the Commissioner's decision is **AFFIRMED**.

**IT IS SO ORDERED.**

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: September 10, 2019